



1748  
EFW

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: Donna Marks

DATE: 7/21/04

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of	:
	Toshitada Sato et al.	:
Conf. No.:	2946	: Examiner: Gregg Cantelmo
Appln. No.:	10/088,398	: Group Art Unit: 1745
Filed:	March 18, 2002	:
Patent No.	6,761,998 B2	: Allowed: April 1, 2004
Issued:	July 13, 2004	:
For:	NON-AQUEOUS ELECTROLYTE	: Attorney Docket
	SECONDARY BATTERY	: No. 10059-412 (P26090-01)

**TRANSMITTAL LETTER**

Although it is the Patentees' opinion that the claims filed by way of amendment are substantially embraced in the statement of invention or in the claims originally filed, Patentees herewith file a Supplemental Declaration for precautionary purposes under 37 CFR 1.67.

Respectfully submitted,

July 21, 2004  
(Date)

By:

William W. Schwarze

**WILLIAM W. SCHWARZE**

Registration No. 25,918

**AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103

Telephone: (215) 965-1200

**Direct Dial: (215) 965-1270**

Facsimile: (215) 965-1210

E-Mail: [wschwarze@akingump.com](mailto:wschwarze@akingump.com)

WWS/DCM

Enclosure